

**UNITED STATES DISTRICT COURT**  
for the

District of South Carolina

United States of America	)	Case No: <u>4:09CR849 TLW (1)</u>
	)	USM No: <u>18577-171</u>
-versus-	)	<u>William F. Nettles, IV, Public Defender</u>
	)	Defendant's Attorney
<b>Franklin Lee Brown</b>	)	
	)	
Date of Previous Judgment: April 8, 2010	)	
(Use Date of Last Amended Judgment if Applicable	)	

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of one hundred one (101) months, which consists of forty-one (41) months as to Counts 1 and 2, with such terms to run concurrently, and pursuant to statute, sixty (60) months consecutive as to Count 3, is reduced to ninety (90) months, which consists of thirty (30) months as to Counts 1 and 2, with such terms to run concurrently, and pursuant to statute, sixty (60) months consecutive as to Count 3 for a total aggregate sentence of ninety (90) months . In the event this sentence is less than the amount of time Defendant has already served, this sentence is reduced to a time-served sentence of imprisonment.

Except as provided above, all provisions of the original judgment filed April 8, 2010 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: November 22, 2011

s/ Terry L. Wooten  
*Judge's signature*

Effective Date: \_\_\_\_\_  
(if different from order date)

Terry L. Wooten, United States District Judge  
*Printed name and title*